

AMENDED IN SENATE MARCH 29, 2006

SENATE BILL

No. 1500

Introduced by Senator Speier

February 23, 2006

An act to add Article 4 (commencing with Section 11773) to Chapter 1 of Division 10.5 of the Health and Safety Code, relating to alcohol and drug programs.

LEGISLATIVE COUNSEL'S DIGEST

SB 1500, as amended, Speier. Drug programs.

Existing law requires the Department of Alcohol and Drug Programs to administer certain programs and studies related to alcohol and drug abuse recovery and to license, certify, and regulate alcoholism or drug abuse recovery or treatment facilities.

This bill would require the department to develop and conduct a statewide campaign designed to deter ~~the abuse~~ *initial and continued use* of methamphetamine in California, *and* would authorize the department to accept voluntary contributions, *in cash or in-kind*, for purposes of this bill, ~~and would require that the department deposit the contributions into the California Methamphetamine Abuse Prevention Fund, created by this bill, for use by the department upon appropriation by the Legislature.~~ The bill would require that the department ~~shall only~~ implement the campaign ~~under this~~ *established under the bill only* if the Director of Finance determines that sufficient funds, ~~from any source, have been appropriated to support the implementation of the program~~ *private donations, as defined to be at least \$____, have been collected and deposited into the California Methamphetamine Abuse Prevention Account, which the bill would create in the State Treasury.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares the
2 following:
3 (1) Methamphetamine is California's primary drug problem,
4 affecting public health and safety, child welfare, and the
5 environment.
6 (2) It is estimated that at least 338,000 Californians age 12 or
7 older use methamphetamine. Patients admitted to publicly funded
8 addiction treatment centers identify methamphetamine as their
9 drug of choice more often than any other substance, including
10 alcohol.
11 (3) Long-term frequent use of methamphetamine leads to
12 addiction, violent behavior, psychosis, memory loss,
13 hallucination, irreversible stroke-producing brain damage,
14 increased blood pressure, and death from overdose.
15 (4) Methamphetamine use has been linked to the transmission
16 of the human immunodeficiency virus (HIV), and some studies
17 suggest that methamphetamine abuse may affect HIV disease
18 progression.
19 (5) Methamphetamine abuse is unique in that it affects women
20 and men at nearly equal rates.
21 (6) In at least seven counties in California, methamphetamine
22 use is related to over 60 percent of cases referred to child
23 protective services.
24 (7) Methamphetamine trafficking is related to a growing level
25 of gang violence.
26 (8) Illegal methamphetamine labs in California have more
27 output capacity than laboratories in any other state. Five to seven
28 pounds of toxic waste are produced with every pound of
29 methamphetamine, polluting homes, agricultural land, and urban
30 neighborhoods.
31 (b) It is therefore the intent of the Legislature to enact
32 legislation that would require the Department of Alcohol and
33 Drug Programs to develop and implement a statewide public
34 information campaign designed to prevent the abuse of
35 methamphetamine in California.

1 SEC. 2. Article 4 (commencing with Section 11773) is added
2 to Chapter 1 of Division 10.5 of the Health and Safety Code, to
3 read:

4
5 Article 4. Methamphetamine Deterrence Program
6

7 11773. (a) The department shall develop and, subject to this
8 article, conduct a statewide prevention campaign designed to
9 deter the abuse of methamphetamine in California.—The
10 department shall, in the implementation of the program, use a
11 variety of media to convey its message to the public, including,
12 but not limited to, television, radio, billboards, print media, and
13 the Internet.

14 (b) (1) *The department may design the campaign to deter*
15 *initial and continued use of methamphetamine.*

16 (2) *The department may also design the campaign to target*
17 *communities or populations that use methamphetamine at a*
18 *greater rate than the general population, communities or*
19 *populations in which the transmission and contraction of HIV*
20 *and AIDS, hepatitis C, and other diseases is significantly related*
21 *to methamphetamine use, communities or populations in which*
22 *the use of methamphetamine is likely to have a negative effect on*
23 *children, communities or populations at risk due to the*
24 *environmental damage caused by the methamphetamine*
25 *production, and any other community or population that is at a*
26 *high risk of methamphetamine use or addiction.*

27 (3) *In determining the intended audience of the campaign, the*
28 *department shall give priority to communities or populations in*
29 *which the use of methamphetamine is most likely to be deterred*
30 *by the campaign. In determining which communities or*
31 *populations to include in the audience of the campaign, the*
32 *department shall rely on evidence from published reports, the*
33 *experience of other drug abuse prevention programs, and other*
34 *relevant sources.*

35 (c) (1) *The department shall, in the implementation of the*
36 *program, use a variety of media to convey its messages to its*
37 *intended audiences. This media may include, but need not be*
38 *limited to, television, radio, billboards, print media, and the*
39 *Internet.*

1 (2) *The department may use a variety of marketing and*
2 *community outreach programs to convey its message, including,*
3 *but not limited to, programs at schools, fairs, conventions, and*
4 *other venues.*

5 (3) *The department shall conduct and base the development of*
6 *its messages on market research, including, but not limited to,*
7 *opinion polling and focus groups, to determine which messages*
8 *would be most effective in deterring methamphetamine use within*
9 *particular communities or populations.*

10 (d) *The department may incorporate information regarding*
11 *drug addiction treatment programs into messages meant for*
12 *individuals who are addicted to methamphetamine.*

13 (e) *In implementing the campaign, the department shall work*
14 *with public and private organizations to extend its message to a*
15 *wide range of venues and media outlets.*

16 (f) *The department may contract with private or public*
17 *organizations for the development and implementation of the*
18 *campaign.*

19 (g) *The department shall conduct research to measure the*
20 *effect of the prevention campaign and shall annually report its*
21 *findings to the chairpersons of the appropriate Senate and*
22 *Assembly Health committees.*

23 11773.1. (a) *The department may accept voluntary*
24 *contributions, in cash or in-kind, to pay for the costs in the*
25 *implementation of the program under this article.*

26 ~~(b) There is hereby created the California Methamphetamine~~
27 ~~Abuse Prevention Fund. The department shall deposit moneys~~
28 ~~contributed under this article into the fund, and may use the~~
29 ~~funds as specified in subdivision (a), upon appropriation by the~~
30 ~~Legislature.~~

31 (b) *The department shall only implement the campaign*
32 *established under this article upon a determination by the*
33 *Director of Finance that sufficient private donations have been*
34 *collected and deposited into the California Methamphetamine*
35 *Abuse Prevention Account, which is hereby created in the State*
36 *Treasury. If sufficient funds are collected and deposited, the*
37 *Director of Finance shall file a written notice thereof with the*
38 *Secretary of State*

39 (c) *For purposes of this article, “sufficient private donations”*
40 *means funds in the amount of at least ____ dollars (\$____).*

1 ~~11773.2.—The department shall implement the development~~
2 ~~and implementation of the program under this article only upon a~~
3 ~~determination of the Director of Finance that sufficient funds,~~
4 ~~from any source, have been appropriated to support the~~
5 ~~implementation of the program.~~

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